

# Draft WI Applicability Test



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Wisconsin Department of Natural Resources



# Primary Features

- 2 in 10 baseline period
- Planned shut downs/startup. Exclude unplanned events
- Replacement Units = New Units
- 12 months of emissions data for new units
- Netting for replacement units
- 10 year projection, excluding demand unless we can clarify



# Applicability Test

- Test for determination as to whether a project will result in a significant net emissions increase, requiring NSR
- Either
  - Potential to emit - Baseline Actual Emissions
  - Projected Actual Emissions - Baseline Actual Emissions



# Draft WI Baseline Actual Emissions - 1

- Baseline based upon annual average in a 24 month period occurring in the previous 10 years (5 for EUSGUs)
- Same baseline period for all pollutants
- Same pollutant baseline across multiple emissions units involved in project
- Adjusted to reflect current emission control requirements



## Draft WI Baseline Actual Emissions - 2

- Planned shut down and start-up included in baseline, unplanned events not included
- Baseline emissions reduced for any emissions that exceeded allowable levels
- Adequate data must exist to substantiate the baseline rate



## Draft WI Baseline Actual Emissions - 3

- “New” Units that are modified by a project
  - Meaning units that were constructed after the baseline period
  - If unit has not yet initially operated, baseline rate is zero
  - If operated less than two years from project commencement date, equal to PTE
  - If operated more than two years from project commencement date, then 12 months of actual emissions data is used



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- Used for plant modifications
- Not available for the construction of new emissions units or replacement units (recent addition to federal rule is definition of “replacement unit”)
- Replacement units may use netting, however must use “actual emissions” definition in evaluating change from emissions unit being replaced



# Future Emission Estimates

- Potential to Baseline Actual Test
  - Post project reporting and record keeping minimized
- Projected Actual to Baseline Actual Test
  - 10 year projection period (regardless of impact on emission unit capacity by project)
  - Includes planned start-up and shut down emission rates, not unplanned events
  - Capacity changed unit was capable of accommodating pre-change is excluded from emission projection (demand adjustment) if clear guidance/rule language can be developed





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- Notice, record keeping and reporting requirements
  - Submit notice of project prior to beginning construction either under minor NSR or under Title V revision requirements
    - Using projected actual, include details on projection if projection minus baseline actual emission rate exceeds significant threshold
  - Report to DNR if annual emissions result in significant emissions increase and are inconsistent with projection
    - Latter not required if potential to actual test used